



PATENT

Docket No.: 2026-4003US3

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Waldmann, T.

Group Art Unit: 1642

Serial No. : 08/478,748

Examiner : Gambel, P.

Filed : June 07, 1995

For : METHOD FOR TREATING MALIGNANCY AND AUTOIMMUNE
DISORDERS IN HUMANS USING ANTI-TAC ANTIBODIES

DECLARATION

I, Dr. Thomas A. Waldmann, hereby declare and say that:

1. I have read and understood application 08/478,748, including the claim;
 2. I am the sole inventor of the subject matter claimed in the above-identified
- for patent;

3. I, together with Jeffrey D. White, Jorge A. Carrasquillo, James C. Reynolds, Chang H. Paik, Otto A. Gansow, Martin W. Brechbiel, Elaine S. Jaffe, Thomas A. Fleisher, Carolyn K. Goldman, Lois E. Top, Richard Bamford, Sara Zakmoen, Eric Roessler, Claude Kasten-Sportes, Richard England, Hariklia Litou, John A. Johnson, Terri Jackson-White, Angela Manns, Barrie Hanchard, Richard P. Junghans, and David L. Nelson, co-authored the paper entitled, "Radioimmunotherapy of Interleukin-2R α -Expressing Adult T-Cell Leukemia With Yttrium-90-Labeled Anti-Tac" [Waldmann, et al., Blood, 86:4063-4075] published in December 1995.

4. While the contributions of Jeffrey D. White, Jorge A. Carrasquillo, James C. Reynolds, Chang H. Paik, Otto A. Gansow, Martin W. Brechbiel, Elaine S. Jaffe,

Serial No. 08/478,748

Docket No.: 2026-4003US3


Thomas A. Fleisher, **Carolyn K. Goldman**, Lois E. Top, Richard Bamford, Sara Zaknoen, Eric Roessler, Claude Kasten-Sportes, Richard England, Hariklia Litou, John A. Johnson, Terri Jackson-White, Angela Manns, Barrie Hanchard, **Richard P. Junghans**, and **David L. Nelson** to the subject matter of the article were such that authorship was warranted, they did not make an inventive contribution to the subject matter claimed in application Serial No. 08/478,748.

5. I declare that although the article specifically points to the contribution of **Jorge A. Carrasquillo, Carolyn K. Goldman, Richard P. Junghans, and David L. Nelson** for the development of an algorithm to predict a dose of total anti-Tac sufficient to overcome the effect of soluble antigen levels (pg. 4064, col.2), they did not contribute to the conception of the claimed invention.

6. **Jorge A. Carrasquillo, Carolyn K. Goldman, Richard P. Junghans, and David L. Nelson** merely acted under my direction and supervision.

7. I declare further that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application of any patent issuing thereon.

Dated: February 27 2001

By: 
Dr. Thomas A. Waldmann